

Wetlands Bureau Decision Report

Decisions Taken
05/03/2004 to 05/07/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2002-02562 DUCHAK, BRIAN
LACONIA Lake Winnepesaukee

Requested Action:

Applicant requests amendment to include a seasonal jet ski lift.

APPROVE AMENDMENT:

Remove 128 sq ft of rock along and 81 sq ft of deck and construct a 6 ft x 7 ft crib to extend an existing pier to final dimensions of 7 ft x 49 ft 6 in, and install a seasonal jet ski lift on an average of 220 ft of frontage on Methodist Circle, Lake Winnepesaukee.

With Conditions:

With Amended Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 25, 2003, revised on May 3, 2004, as received by the Department on May 3, 2004.
2. No work is authorized to the adjacent permanent docking structures providing an additional 15 slips on this frontage.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Existing rocks shall be used for construction. No Additional Rocks.
6. Rocks removed and not used in the crib construction must be placed out of the jurisdiction of the DES Wetlands Bureau.
7. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level. Variance to this condition may be sought if water depth is greater than 6 feet.
8. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
11. Seasonal lifts shall be removed from jurisdiction for the non-boating season.
12. This permit does not allow for maintenance dredging.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(d), modification of a major docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on February 21, 2003. Field inspection determined applicant can only extend dock by a reduction in sq ft with a crib dock.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system.
7. The proposed modifications will reduce the square footage of construction surface area over public submerged lands by 58 sq ft and therefore meet the requirements of Rule Wt 402.22, Modification of Existing Structures.

-Send to Governor and Executive Council-

2003-01012 BAILEY, ROBERT
HANOVER Unnamed Wetland

Requested Action:

Dredge and fill 89,933 square feet of palustrine wetlands impacting 130 linear feet of intermittent stream for construction of a wildlife pond. Work will include creating shallow marsh and emergent wetlands, deep water habitat, beach border/gravel habitat, and restoration of 1,350 square feet of previously impacted wet meadow. The area is proposed to be placed under deed restriction and managed in accordance with a wildlife habitat plan.

Conservation Commission/Staff Comments:

The conservation commission endorses the proposed pond.

Inspection Date: 07/29/2003 by Jocelyn S Degler

APPROVE PERMIT:

Dredge and fill 89,933 square feet of palustrine wetlands impacting 130 linear feet of intermittent stream for construction of a wildlife pond. Work will include creating shallow marsh and emergent wetlands, deep water habitat, beach border/gravel habitat, and restoration of 1,350 square feet of previously impacted wet meadow. The area is proposed to be placed under deed restriction and managed in accordance with a wildlife habitat plan.

With Conditions:

1. All work shall be in accordance with plans by James S. Kennedy, as received by the Department on April 9, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. The permittee shall notify DES in writing of their intention to commence construction no less than 5 business days prior to construction.
7. Work shall be done during low flow.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Silt fencing must be removed once the area is stabilized.

15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Mitigation Conditions:

16. This permit is contingent upon the execution of a deed restriction on 18 acres as depicted on plans received April 9, 2004.
17. The deed restriction to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to these restrictions.
18. The plan noting the boundaries of the deed restrictions with a copy of the final easement language shall be recorded with the Registry of Deeds Office. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau with the post construction report.
19. The deed restriction area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] within 30 days of the completion of construction.
20. Activities in contravention of the deed restriction shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).
21. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
22. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
23. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of pond construction.

With Findings:

1. The project is categorized as a Major Project per NH Administrative Rule Wt 303.02 (h), as the proposed pond will impact greater than 20,000 square feet of wetland.
2. DES Wetlands Staff conducted a site inspections on July 29, 2003, and classified the area as palustrine emergent wetland. The wetlands along the hillside appear to be seeps which have been impacted from past mowing activities. The defined stream channel enters into the proposed pond area then disperses into sheet flow and subsurface flow. The streams channel reappears below the proposed pond site.
3. The proposed pond project will not only create open water habitat, but will also create shallow marsh and emergent wetlands, beach/boulder/gravel habitat, and flooded timber land.
4. Public hearing is waived with the finding that project impacts will not significantly impair the resources of the wetland and riparian ecosystem.
5. Overall, the proposed pond and associated habitat types will create additional opportunities for fish and wildlife to utilize the area.
6. In a letter dated June 3, 2003, the Hanover Conservation Commission endorsed the proposed pond project but had concerns with the construction sequencing and winter site status.
7. The applicant has received a Site Specific Permit for erosion controls.

2003-01704 ROUTHIER, BERNARD
COLUMBIA Connecticut River

Requested Action:

Dredge and fill 2,000 square feet (approximately 250 linear feet) within the bed and banks of the Connecticut River to control severe bank erosion. Work includes construction of an access path in the bank for installation of rip rap toe protection with installation of plantings above rip rap for upper bank stabilization.

Conservation Commission/Staff Comments:

Site inspection by DES staff on 11/12/2003, requested consideration for access road cut into bank to place rip rap along river

channel.

The Connecticut River Joint Committee agrees the bank is unstable and recommends approval of the project design for combining rip rap and bioengineering.

Inspection Date: 11/12/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 2,000 square feet (approximately 250 linear feet) within the bed and banks of the Connecticut River to control severe bank erosion. Work includes construction of an access path in the bank for installation of rip rap toe protection with installation of plantings above rip rap for upper bank stabilization.

With Conditions:

1. All work shall be in accordance with plans by the Natural Resources Conservation Service; St. Johnsbury, Vermont Office dated November 18, 2003, as received by the Department on April 19, 2004.
2. The applicant shall notify the DES Wetlands Bureau and the Connecticut River Joint Commission of their intention to begin construction no less than five (5) business days prior to the commencement of construction.
3. Construction shall be inspected daily by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
6. Work shall be done during low flow and between the months of June 1st through October 1st.
7. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
8. Temporary cofferdams and culverts shall be utilized to the greatest extent practicable to minimize equipment working within surface waters.
9. Cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. All temporary access roads shall be properly restored.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. The permittee shall conduct a follow-up inspection after the first and second growing seasons, to review the success of the restoration project and schedule remedial actions if necessary. Photo documentation and a brief report shall be submitted to the DES Wetlands Bureau by December 1st of each year.

With Findings:

1. This project proposes to stabilize approximately 250 linear feet of the Connecticut River and therefore is a major impact project per Administrative Rule Wt 303.02(i), alteration of or disturbance of more than 200 linear feet of a nontidal perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application

Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on November 12, 2003. Field inspection determined bank is unstable along this reach.

6. The bank is void of vegetation and the soils are slumping off as a result of undercutting at the toe of slope in the river.

7. The State of Vermont, Agency of Natural Resources, Division of Water Quality granted approval for the stabilization project June 30, 2003.

8. The Department of Army, New England District, Corps of Engineers, issued approval under the Vermont General Permit, number 200301410 in July of 2003.

9. The Connecticut River Joint Commission agrees with the project design and recommends approval.

10. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine ecosystem.

2004-00442 MAHONEY, RICHARD & ANNE V
SEABROOK Unnamed Wetland

Requested Action:

Impact 1,250 square feet within a sand dune jurisdiction area for the removal of an existing single-family residence, and the construction of a new single-family residence.

Inspection Date: 04/16/2004 by Christina Altimari

APPROVE PERMIT:

Impact 1,250 square feet within a sand dune jurisdiction area for the removal of an existing single-family residence, and the construction of a new single-family residence.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated February 20, 2004, as received by the Department on March 17, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This property is a developed interior lot in Seabrook with little or no remaining dune function other than its position in the landscape.
2. This approval is consistent with other approvals in developed sand dune areas.
3. Based on findings #1 and #2, this project is deemed minimum impact per Wt. 303.04(o).
4. The applicant has received written approvals for work from each of the abutters whose property lines exist within twenty feet of the proposed project.
5. The NH Natural Heritage Inventory (NHNHI) has record of two state endangered plant species within the project vicinity, Gray's Umbrella-Sedge (*Cyperus grayi*) and Sea-Beach Needlegrass (*Aristida tuberculosa*); three state threatened plant species within the project vicinity, Hairy Hudsonia (*Hudsonia tomentosa*), Tall Wormwood (*Artemisia campestris*), and Sand Drop-Seed (*Sporobolus cryptandrus*); and record of natural community of special concern within the project vicinity, SNE Coastal Dune Community.
6. DES review of this application finds that none of the NHNHI identified species or community of special concern will be impacted as a result of the project, as the property is fully developed and does not support the above-listed identified items.

2004-00633 BELFIORE, JOSEPH
RINDGE Lake Monomonac

Requested Action:

Replenishment of sand for a 900 sq ft beach area below the normal high-water line on 120 ft of frontage on Lake Monomonac.

DENY PERMIT:

Replenishment of sand for a 900 sq ft beach area below the normal high-water line on 120 ft of frontage on Lake Monomonac.

With Findings:

Standards for Approval

1. In accordance with Rule Wt 302.04 (a)(16), Requirements for Application Evaluation, applicants shall consider the cumulative impact that would result if all parties owning or abutting the wetland complex were allowed proportional impacts.
2. In accordance with Rule Wt 302.04(d)(2), Requirements for Application Evaluation, the Department shall not grant a permit if the project would cause significant degradation to the waters of the state.
3. This project is defined as a major impact project per Rule Wt 303.02(n), placement of fill in public waters.

Findings of Fact

4. A photo received by the department from the applicant on April 14, 2004 shows the area of sand replenishment to be in the water.
5. The application does not include a statement addressing the cumulative impact that would result if proportional impacts by all properties abutting the wetland complex were permitted.
6. The placement of sand below the normal high-water line has been shown to contribute phosphates to the water column.

Ruling in Support of the Decision

7. The Applicant has failed to document the cumulative impact that would result if the owners of properties abutting the wetland complex were allowed to place a proportional amount of sand below the normal high-water line.
8. The cumulative impact of the placement of sand below the normal high-water line would be the significant degradation of the water quality of lake Monomonac, therefore the project is denied.

2004-00635 WINDSOR, FRANK & ANN
DURHAM Oyster River

Requested Action:

Construct a 4 ft x 36 ft pier with a 6 ft x 6 ft landing, leading to a 3 ft. x 36 ft. ramp and two floats arranged in an L-shape, measuring 6 ft x 15 ft and 10 ft x 20 ft, on approximately 340 feet of frontage along the Oyster River in Durham.

Inspection Date: 05/05/2004 by Christina Altimari

APPROVE PERMIT:

Construct a 4 ft x 36 ft pier with a 6 ft x 6 ft landing, leading to a 3 ft. x 36 ft. ramp and two floats arranged in an L-shape, measuring 6 ft x 15 ft and 10 ft x 20 ft, on approximately 340 feet of frontage along the Oyster River in Durham.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated March 26, 2004, with revisions dated April 8, 2004, as received by the Department on April 8, 2004.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.

4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
2. Public hearing is waived based on DES staff field inspection on May 5, 2004 with the finding that the project impacts will not significantly impair the resources of this tidal river.
3. The Pease Development Authority - Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.
4. The NH Division of Historical Resources has been notified of the proposed project plans and has no record of any known properties of architectural, historical, archaeological, engineering, or cultural significance within the vicinity of the proposed project.
5. This dock is consistent with other tidal dock approvals in the seacoast region.

MINOR IMPACT PROJECT

1999-00125 GARCEAU, MICHEAL
WOLFEBORO Lake Winnepesaukee

Requested Action:

Approve name change to: Michael Garceau, 30 Coventry Rd, Atkinson, NH 03811 per request received 5/5/04.

Conservation Commission/Staff Comments:

Cons. com.: No Objection

APPROVE NAME CHANGE:

Remove an existing 3 ft. x 27 ft. set of stairs on the bank and a 7 ft. x 13 ft. wooden dock. Construct a 3 ft. x 27 ft. set of wooden stairs on the bank, two 6 ft. x 30 ft. piling supported piers with a 6 ft. x 11 ft.11 in. connecting wharf in a "U" shaped configuration and install a 12 ft. x 24 ft. seasonal canopy over the center slip, on 150 ft. of shoreline frontage. All work shall be conducted in accordance with plans received on 1/25/99.

With Conditions:

1. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
2. This permit is contingent upon the removal of an existing docking structure on this frontage.
3. All materials from the existing stairs and dock shall be placed out of the Department of Environmental Services' jurisdiction, unless incorporated into the structures permitted herein.
4. Any further alteration of wetlands on this property will require a new application and further permitting by the DES Wetlands

Bureau.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. This shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
7. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
8. All activity shall be in accordance with the Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

1999-02421 HOEHN, BRUCE
SALEM Canobie Lake

Requested Action:

Retain construction of approximately 45 linear ft of stone retaining wall, and install a 4 ft x 25 ft sesonal pier on 45 ft of frontage on Canobie Lake.

DENY AFTER THE FACT:

Retain construction of approximately 45 linear ft of stone retaining wall, and install a 4 ft x 25 ft sesonal pier on 45 ft of frontage on Canobie Lake.

With Findings:

Standards for Approval

1. This project is classified as a major impact project per Rule Wt 303.02(n), fill in public waters for the purpose of making land.
2. In accordance with Rule Wt 204.06, After-the-Fact Application, those applications received after the work has been completed shall be subject to the same review as given any other application.
3. In accordance with Rule Wt 101.66, Repair, means the restoring of an existing legal structure by replacement of worn, broken or unsound parts.
4. In accordance with Rule Wt 502.01, Additional Data, applications shall include detailed and dimensioned plans which clearly define the project.
5. In accordance with Rule Wt 302.04 (a)(1), Requirements for Application Evaluation, applicants shall demonstrate the need for proposed impacts.
6. In accordance with Rule Wt 404.05, Walls, walls shall be permitted only where lack of space or other limitations of the site make alternative stabilization methods impractical.
7. In accordance with Rule Wt 302.04(d), Requirements for Application Evaluation, the Department shall not grant a permit if the project will unnecessarily impact jurisdictional areas.

Findings of Fact

8. On May 6, 2003 the DES Wetlands Bureau received an after-the-fact application for "repair" of a retaining wall along the shore of Canobie lake on property identified as Salem tax map 70, lot 4472 (the "lot").
9. Photos of the frontage submitted on December 3, 1999, show that the retaining wall is located below the normal high-water line.
10. On July 11, 2003 a Request for More Information Letter was issued to the Applicant requesting plans showing complete dimensions for all existing and proposed structures, evidence that the wall existed prior to the "repairs," and confirmation of the proposed pier configuration.
11. The July 11, 2003 letter also informed the applicant the failure to respond within 30 days of the letter's issuance would result in further action by the Bureau's Compliance Section.
12. To date the Wetlands Bureau has received no response to the July 11, 2003 Request for More Information Letter.

Rulings in Support of the Decision

13. The Applicant has failed to show evidence of a pre-existing wall on the frontage, therefore the wall is consider to be new construction within a jurisdictional area not a repair project.
14. The wall is located lakeward of the normal high-water line and creates land in a public water.
15. The Applicant has failed to submit plans that clearly define the project impacts.
16. The Applicant has failed to submit evidence of an unstable shoreline in need of stabilization as required per Rule Wt 302.04(a)(1).
17. The Applicant has failed to submit evidence that the construction of a retaining wall is the only practical stabilization method for this site as required per Rule Wt 404.05.
18. The Applicant has failed to document the need for the impacts, therefore, the project is denied per Rule Wt 302.04(d).
19. The existing retaining wall is an unpermitted structure that is subject to corrective actions to be taken by the Compliance Section of the DES Wetlands Bureau.

2001-00573 BATTIS, DONALD
NEW CASTLE Tidal Buffer Zone

Requested Action:

Amend permit to read: Permanently impact 4,639 square feet of developed upland tidal buffer zone for the removal of an existing dwelling and a portion of an existing driveway to construct a new single-family residence. Temporarily impact 2,777 square feet of developed upland tidal buffer zone for construction access, and the installation of a sewer line. Total project impacts to DES Wetlands Bureau jurisdiction, permanent and temporary, is 7,416 square feet.

Conservation Commission/Staff Comments:

Con. Com. signed expedited application.

Inspection Date: 02/12/2004 by Christina Altimari

APPROVE AMENDMENT:

Amend permit to read: Permanently impact 4,639 square feet of developed upland tidal buffer zone for the removal of an existing dwelling and a portion of an existing driveway to construct a new single-family residence. Temporarily impact 2,777 square feet of developed upland tidal buffer zone for construction access, and the installation of a sewer line. Total project impacts to DES Wetlands Bureau jurisdiction, permanent and temporary, is 7,416 square feet.

With Conditions:

1. AMENDED CONDITION: All work shall be in accordance with plans by NH Soil Consultants, Inc. dated February 23, 2001, with revisions dated December 2, 2002, as received by the Department on December 16, 2002.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES").
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on other areas within DES Wetlands Bureau jurisdiction.
5. The project shall result in no environmental impact to the abutting properties.
6. Appropriate siltation and erosion controls shall be installed prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
8. All temporary work areas shall be restored to original condition following completion of work.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has obtained written approval from abutters to cross property and connect to an existing sewer pump station on an adjacent property, New Castle Tax Map 1/Lot 3-2.

2002-00926 GREGOIRE, LOUIS
FREEDOM Ossipee Lake

Requested Action:

Request to retain a deck consisting of a 8 ft x 22 ft section, a 10 ft x 18 ft section, and a 3 ft x 24 ft section, and install a 3 ft 6 in x 10 ft seasonal pier on 250 ft of frontage in Turtle Cove, Ossipee Lake.

DENY PERMIT:

Request to retain a deck consisting of a 8 ft x 22 ft section, a 10 ft x 18 ft section, and a 3 ft x 24 ft section, and install a 3 ft 6 in x 10 ft seasonal pier on 250 ft of frontage in Turtle Cove, Ossipee Lake.

With Findings:

Standards for Approval

1. This project is classified as a minor impact project per Rule Wt 303.03(a), a project within jurisdiction not otherwise defined as major, minimum, or not requiring a permit.
2. In accordance with Rule Wt 204.06, After-the-Fact Application, those applications received after the work has been completed shall be subject to the same review as given any other application.
3. In accordance with Rule Wt 502.01, Additional Data, applications shall include detailed and dimensioned plans which clearly define the project.
4. In accordance with Rule Wt 302.04 (a)(1), Requirements for Application Evaluation, applicants shall demonstrate the need for proposed impacts.
5. In accordance with Rule Wt 302.04(d), Requirements for Application Evaluation, the Department shall not grant a permit if the project will unnecessarily impact jurisdictional areas.
6. In accordance with Rule Wt 101.92, Wharf, means a docking structure built generally parallel to the shore and used to secure watercraft and/or to discharge and load passengers freight and other goods.
7. In accordance with Rule Wt 402.09 (c), Structures Disallowed, structures over the waters shall not be allowed for the transfer of any activity associated with land.
8. In accordance with Rule Wt 402.02, Dimensions, the standard deck width allowed within docking structures shall not exceed 6 ft.

Findings of Fact

9. On November 9, 2001 the DES Shoreland Program was notified of the construction of unpermitted shoreline structures on property identified as Freedom tax map 28, lot 17 ("the Property").
10. On December 12, 2001 the Department notified the owners of the Property, in writing, that a permit was required for the construction of structures within surface water and their banks pursuant to RSA 482-A.
11. On May 6, 2002 the Department received an application to retain the deck as a "wharf." The Applicant's explanation of need for the structure stated that "with no beach area" the structure was "the only somewhat safe and usable area."
12. The documentation submitted to the file indicates that the structure is used to provide a sitting area, not docking or loading and unloading of passengers freight or other goods from watercraft.
13. Portions of the existing structure are located over public waters.
14. On October 16, 2002, a Request for More Information Letter was issued to the Applicant requesting that the "wharf" width be reduced to the maximum allowable 6 ft, that all portions of the structure located over the water that were used for land based activities be removed, that the Applicant clarify the number of boat slips being sought, and that the Applicant submit revised plans

showing the complete dimensions of the existing and proposed structures relative to property lines.

15. To date the Department has not received a response to the Request for More Information Letter.

Rulings in Support of the Decision

16. The existing structure exceeds the 6 ft width allowed per Rule Wt 402.02.

17. The existing structure is being used for the transfer of land based activities over public waters and therefore is disallowed per Rule Wt 402.09

18. The Applicant has failed to submit detailed and dimensioned plans of the structure as required per Rule Wt 502.01.

19. The Applicant has failed to submit evidence of the need for the requested impacts as required per Rule Wt 302.04(a)(1), therefore the project is denied per Rule Wt 302.04(d)

20. The existing retaining wall is an unpermitted structure that is subject to corrective actions to be taken by the Compliance Section of the DES Wetlands Bureau.

2003-01192 HALVORSEN HOLDINGS, LLC **HANOVER Unnamed Wetland**

Requested Action:

Dredge and fill 4545 square feet of for the construction of an access road and detention pond in the development of 9.62 acres into multi-family housing.

Conservation Commission/Staff Comments:

The conservation commission submitted comments June 17, 2003. These comments have all been addressed or will be addressed as part of the site specific application process.

APPROVE PERMIT:

Dredge and fill 4545 square feet of for the construction of an access road and detention pond in the development of 9.62 acres into multi-family housing.

With Conditions:

1. All work shall be in accordance with plan sheet C-1 by Bruno Associates dated April 11, 2003, and revised through February 11, 2004, as received by the Department on February 18, 2004, and the plan sheet titled "Wetlands Impact", dated June 4, 2003, and revised through September 16, 2003, as received by the department September 26, 2003.

2. This permit is contingent on approval by the DES Site Specific Program.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. This permit is contingent on approval by the NH Department of Transportation for the increased water discharge onto their property.

5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.

7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

10. Work shall be done during low flow.

11. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

14. Proper headwalls shall be constructed within seven days of culvert installation.

15. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

19. Silt fencing must be removed once the area is stabilized.

20. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The conservation commissions comments will be addressed as part of the Alteration of Terrain permitting process or have already been addressed.

2003-02655 HARPELL JR, GEORGE
TUFTONBORO Lake Winnepesaukee

Requested Action:

Applicant requests to retain 30 sq ft of additional dock.

Conservation Commission/Staff Comments:

Con. Com. did not respond to application.

APPROVE AFTER THE FACT:

Retain a 6 ft x 5 ft dock extension attached to an existing 6 ft x 33 ft piling pier for a total length of 38 ft on an average of 130 ft of frontage on Winter Harbor, Lake Winnepesaukee.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

2. This after-the-fact approval shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered letter shall be submitted to the DES Wetlands Bureau.

3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), modification of an existing docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with Rule Wt 204.06, all after-the-fact applications shall be subjected to the same review as given any other application. Consideration of an after-the-fact application shall not preclude or limit the department's exercise of any enforcement powers it otherwise possesses.

2003-02846

PAQUETTE, J STEWART

MEREDITH Unnamed Wetland

Requested Action:

Dredge and fill 9669 square feet of palustrine forested wetland for an access road in the subdivision of 67.053 acres into 18 single family residential lots.

Conservation Commission/Staff Comments:

The Meredith Conservation Commission recommends granting the permit request.

APPROVE PERMIT:

Dredge and fill 9669 square feet of palustrine forested wetland for an access road in the subdivision of 67.053 acres into 18 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Fluett Engineering dated May 2003, and revised through October 13, 2003, as received by the Department on May 7, 2004 and Subdivision Plans by Associated Surveyors dated April 5, 2003, and revised through July 22, 2003 as received by the Department on April 12, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or

netting and pinning on slopes steeper than 3:1.

15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

17. Silt fencing must be removed once the area is stabilized.

18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 3, 2004. Field inspection determined that the crossings have been located in the narrower portions of the wetlands and they are also located in the historical logging crossing locations.

2004-00094 K L PROPERTIES LLC, C/O MARK LOPEZ
BRENTWOOD Unnamed Wetland

Requested Action:

Dredge and fill approximately 4,080 square feet of forested wetlands to construct a roadway to provide access to a commercial/industrial development on approximately 20.6 acres.

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated January 21, 2004 the Brentwood Conservation Commission raised concerns about water quality degradation and proposed impacts within the Town's wetland buffer, and made the following recommendations: a) Utilize a gravel roadway to lessen the likelihood that petroleum products will enter adjacent wetlands; and b) Move the cistern and pump house outside of the Town's wetland buffer.

APPROVE PERMIT:

Dredge and fill approximately 4,080 square feet of forested wetlands to construct a roadway to provide access to a commercial/industrial development on approximately 20.6 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Jones & Beach Engineers, Inc.:
 - a) The Site Plan (Sheet 4 of 20) and the Grading and Drainage Plan (Sheet 5 of 20) dated May 23, 2003 and revised April 16, 2004, as received by the Department on April 19, 2004; and
 - b) The Existing Conditions Plan (Sheet 3 of 19) dated May 23, 2003 and revised January 5, 2004, as received by the Department on January 16, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

5. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Brentwood Conservation Commission of the date project construction is proposed to begin.
6. Work shall be conducted during low flow conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands.
2. In a letter to the DES Wetlands Bureau dated January 21, 2004 the Brentwood Conservation Commission (ConCom) raised concerns about water quality degradation and proposed impacts within the Town's wetland buffer, and made the following recommendations: a) Utilize a gravel roadway to lessen the likelihood that petroleum products will enter adjacent wetlands; and b) Move the cistern and pump house outside of the Town's wetland buffer.
3. In response to the above-referenced recommendations of the Brentwood ConCom the applicant has designed the roadway to building #1 with curbing and has directed all drainage to catch basins and then to a detention pond. In addition, the plans have been modified such that the water pump house has been moved out of the Town's wetland buffer.
4. The Department finds that a complete technical review of site drainage issues, including stormwater analyses for quality and quantity of stormwater runoff, has been conducted by the DES Site Specific Program. This includes, but is not limited to, review of: methods to control peak stormwater discharge rates; construction erosion controls; and methods for treatment of stormwater runoff from impervious surfaces. Issuance of DES Site Specific Permit WPS 6757 on April 20, 2004 is indicative that all requirements of Env-Ws 415 have been satisfied.
5. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
6. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

2004-00160 163 NORTH ROAD LLC, JEFFREY CALEY
EAST KINGSTON Unnamed Wetland

Requested Action:

Temporarily impact approximately 5,700 square feet of forested wetlands within an existing utility easement to remove approximately 380 feet of lead-lined telephone communications cable and any associated lead contaminated soil.

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated February 19, 2004 the East Kingston Conservation Commission stated that is had no objections to the project.

APPROVE PERMIT:

Temporarily impact approximately 5,700 square feet of forested wetlands within an existing utility easement to remove approximately 380 feet of lead-lined telephone communications cable and any associated lead contaminated soil.

With Conditions:

1. All work shall be in accordance with the Amended Country Hills of East Kingston Plan by Seekamp Environmental Consulting, Inc. dated February 2001, as received by the Department on April 30, 2004; and the Wetland Restoration and Construction Sequence details by Seekamp Environmental Consulting, Inc. received by the Department on January 30, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be conducted during low flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Any clearing required within the utility easement be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
7. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
8. Temporary wetland impact areas shall be regraded to original contours, seeded with a wetland seed mix and stabilized within seven days of backfill.
9. Dredged material not used to backfill the utility line trench shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Lead contaminated soils shall not be used to backfill the utility line trench.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands.
2. Wetlands impacts will be temporary in nature.
3. Removal of the lead-lined telephone communications cable will eliminate the potential for lead contamination in surface and groundwater.
4. In a letter to the DES Wetlands Bureau dated February 19, 2004 the East Kingston Conservation Commission stated that it had no objections to the project.
5. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
6. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

2004-00252

NH DEPT OF TRANSPORTATION, BUREAU OF RAIL & TRANSIT

MEREDITH Lake Winnepesaukee

Requested Action:

Remove sediment along 225 linear feet of emergent wetland (ditch); relocate and widen ditchline to provide a positive flow; install a 24 in. x 25 ft. culvert and rip rap outlet down the bank to the lake; extend two 18 in. culverts (18 and 20 ft.) and rip rap outlets impacting 12,508 sq. ft. of intermittent stream channel, emergent and forested wetlands.

APPROVE PERMIT:

Remove sediment along 225 linear feet of emergent wetland (ditch); relocate and widen ditchline to provide a positive flow; install a 24 in. x 25 ft. culvert and rip rap outlet down the bank to the lake; extend two 18 in. culverts (18 and 20 ft.) and rip rap outlets impacting 12,508 sq. ft. of intermittent stream channel, emergent and forested wetlands.

With Conditions:

1. All work shall be in accordance with plans by Steven J. Smith & Assoc. Inc. revised 4/19/04, as received by the Department on April 26, 2004 with the exception of any permit conditions as noted below.
2. Wetland areas shall be re-flagged prior to construction to avoid accidental encroachment into unpermitted areas.
3. Rip rap shall not extend more than 2 feet lakeward of the normal high water line (not as shown on cross section).
4. The cut slope shall be minimized wherever possible and reconstruction of the bank uphill of the new wetland swale shall be in a similar manner and slope (approximately 1.5:1) as the existing stone embankment utilizing the existing material.
5. Reconstruction of the wetland swale shall utilize the existing wetland soil and root material.
6. The wetland swale shall be stabilized using matting and a New England Wetland seed mix.
7. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically approved or required.
8. Intermittent streams located across from stations 4+70 and 7+20 shall be stabilized as stone channels on the embankment.
9. Construction equipment shall not be located within surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated as quickly as possible.
17. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
18. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
19. The impacts associated with the temporary work shall be restored immediately following construction.
20. This permit is contingent upon the reestablishment of 8,000 sq. ft. of wetlands.
21. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
22. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
23. Wetland relocation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
24. Wetland relocation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.

25. This permit is contingent on approval by the DES Site Specific Program.
26. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq. ft. of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 5, 2004. Field inspection determined that utilizing the existing wetland soil when relocating the swale would mitigate the majority of the jurisdictional impacts. Conditions of the permit requiring the embankment to be reconstructed using the same rock and other material will limit the amount of cut slope while establishing a stable embankment.
6. The eroded soil from the adjacent development will be removed from the wetland and be disposed of out of jurisdiction.

2004-00315 KINGSTON, TOWN OF
KINGSTON Unnamed Wetland

Requested Action:

Fill approximately 9,734 square feet of forested and scrub-shrub wetlands associated with closure of the Kingston Municipal Landfill.

Conservation Commission/Staff Comments:

No comments received from the Kingston Conservation Commission.

APPROVE PERMIT:

Fill approximately 9,734 square feet of forested and scrub-shrub wetlands associated with closure of the Kingston Municipal Landfill.

With Conditions:

1. All work shall be in accordance with the following plans by CMA Engineers, Inc:
 - a) The Existing Conditions Plan "A" and "B" (Sheets 1 & 2 of 4) and the Proposed Grading Plan "A" and "B" (Sheets 3 & 4 of 4) dated February 2004 and revised April 2004, as received by the Department on April 29, 2004; and
 - b) The Overall Existing Conditions Plan (Sheet 2 of 17) dated January 2004 and revised March 2004, as received by the Department on April 22, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Waste Management Division.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Kingston Conservation Commission of the date project construction is proposed to begin.
7. Work shall be conducted during low flow conditions.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands.
2. The proposed project is being conducted pursuant to RSA 149-M of the NH Solid Waste Rules and in accordance with a Groundwater Management Permit (Permit No. GWP-198705089-K-002) issued pursuant to Env-Wm 1403 of the NH Groundwater Protection Rules under the direction of the NHDES Waste Management Division.
3. The project will reduce the potential for generation of leachate into groundwater, surface water and wetlands by significantly reducing the infiltration of water through waste.
4. The Department finds that a complete technical review of site drainage issues, including stormwater analyses for quality and quantity of stormwater runoff, has been conducted by the DES Site Specific Program. This includes, but is not limited to, review of: methods to control peak stormwater discharge rates; construction erosion controls; and methods for treatment of stormwater runoff from impervious surfaces. Issuance of DES Site Specific Permit WPS 6764 on April 23, 2004 is indicative that all requirements of Env-Ws 415 have been satisfied.
5. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
6. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

2004-00507 MCCORMICK, JOHN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Dredge two rocks posing a hazard to navigation from the approach to an existing 18 ft x 28 ft 2 in boathouse and repair a 22 ft x 28 ft deck by resetting one existing rock on the southeast corner of the deck on an average of 173 ft of frontage in Braun Bay, Lake Winnepesaukee.

APPROVE PERMIT:

Dredge two rocks posing a hazard to navigation from the approach to an existing 18 ft x 28 ft 2 in boathouse and repair a 22 ft x 28 ft deck by resetting one existing rock on the southeast corner of the deck on an average of 173 ft of frontage in Braun Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Mason Marine Construction, as received by the Department on March 29, 2004.
2. The two rocks removed shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. The existing rock which has fallen shall be used for repair of deck. No Additional Rocks.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

5. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
6. This permit to repair an existing structure shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity. Particular care shall be taken to avoid impacts to the water intakes of abutting property owners.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), removal of no more than 20 cubic yards of rocks from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2003-00543 PRESCOTT II, STANLEY
LOUDON Clough Pond

Requested Action:

Dredge and fill a total of 90 square feet along 49 linear feet of intermittent stream for installation of a 35 foot x 12-inch culvert with associated rip-rap to access a single family residence.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill a total of 90 square feet along 49 linear feet of intermittent stream for installation of a 35 foot x 12-inch culvert with associated rip-rap to access a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Stanley Prescott dated June 2003, as received by the Department on February 19, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
- 17.5 Work shall be done during periods of non-flow.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.

2003-00720 WUTZ, PAUL
NEW LONDON Lake Sunapee

Requested Action:

Amend permit to include plans showing repair of existing boathouse with open 2nd floor design.

Conservation Commission/Staff Comments:

Con. Com. did not comment on application.

APPROVE AMENDMENT:

Construct four 8 ft x 8 ft temporary cribs to facilitate repair of an existing 31 ft x 39 ft full crib boathouse and associated decking, in kind, on an average of 205 ft of frontage on Lake Sunapee, New London.

With Conditions:

With amended conditions:

1. All work shall be in accordance with plans by Northcape Design, Inc. dated April 24, 2004 as received by the Department on May 3, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
9. The four 8 ft x 8 ft temporary cribs shall be removed out of jurisdiction once work is completed.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. No portion of the boathouse may be converted to any use other than storage for boat or boat accessories.
12. Rocks may not remain stockpiled on the frontage for a period longer than 60 days. Rocks shall not be stockpiled with 20 ft of any property line or the extension of any property line over the water.
13. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the

Bureau upon completion of the docking facility.

14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. The DES staff inspected the property on May 30, 2003. The inspection found the use of the temporary stockpile areas to be the least impacting practical method of repairing the structures.

2003-00853 GREAT BAY YACHT CLUB, INC
DOVER Piscataqua River

Requested Action:

Impact approximately 1,500 square feet of tidal buffer zone for the stabilization of the existing causeway's connection to the existing crib structure by removing the existing gravel, installing filter fabric, and backfilling with 12-inch stone; the retrieval and replacement on the slope of riprap that has been washed to the toe of the causeway with out the addition of any new rip rap; the resurfacing of the causeway with compacted stone dust; and the replacement of the existing launch ramp with preformed concrete logs.

Inspection Date: 06/09/2003 by Christina Altimari

Inspection Date: 07/02/2004 by Christina Altimari

APPROVE PERMIT:

Impact approximately 1,500 square feet of tidal buffer zone for the stabilization of the existing causeway's connection to the existing crib structure by removing the existing gravel, installing filter fabric, and backfilling with 12-inch stone; the retrieval and replacement on the slope of riprap that has been washed to the toe of the causeway with out the addition of any new rip rap; the resurfacing of the causeway with compacted stone dust; and the replacement of the existing launch ramp with preformed concrete logs.

With Conditions:

1. All work shall be in accordance with plans submitted by The Great Bay Yacht Club, as received by the Department on March 3, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation and erosion including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
6. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), based on the fact that this project encompasses repairs to existing causeway, and an upgrading of the existing launch ramp with concrete logs and within the same footprint.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

2003-02848 DAY, BRENDA
GRANTHAM Unnamed Wetland

Requested Action:

Dredge and fill 1166 square feet of palustrine forested wetland for driveway access for a proposed cell tower site.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill 1166 square feet of palustrine forested wetland for driveway access for a proposed cell tower site.

With Conditions:

1. All work shall be in accordance with impacts 2, 3, and 4 as shown on plans by Burnes and McDonnell dated July 9, 2003, as received by the Department on December 19, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be conducted during low water conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
31. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00041 LAVALLEY BUILDING SUPPLY
CLAREMONT Unnamed Wetland

Requested Action:

Repair a failed sanitary sewer line and stabilize exposed soils

Inspection Date: 04/28/2004 by Jeffrey D Blecharczyk

CONFIRM EMERGENCY AUTHORIZATION:

Repair a failed sanitary sewer line and stabilize exposed soils

With Conditions:

1. All work was conducted in accordance with documents submitted by Dan McPherson, McPherson Consulting, as received by the Department on January 8, 2004.
2. Repair shall maintain existing size, location and configuration.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v).
2. The project was necessary to repair failed sanitary sewer line.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on January 12, 2004
4. Review of the documents submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2004-00230 THOMAS, BRIAN & MARIE
TUFTONBORO Unnamed Wetland

Requested Action:

Dredge and fill 1800 square feet of forested wetland including installation of an 18-inch x 20 foot culvert for access to a proposed single family residence.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this permit request.

APPROVE PERMIT:

Dredge and fill 1800 square feet of forested wetland including installation of an 18-inch x 20 foot culvert for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated January 27, 2004, as received by the Department on February 12, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be conducted during low water conditions.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows.
2. The applicant has provided evidence that the work within the Right-of-Way has been approved by the property owner.

2004-00509 ASHFORD, WILLIAM
ALTON Lake Winnepesaukee

Requested Action:

Repair/replace one 4 ft x 103 ft 5 in piling pier, five 2 ft x 20 ft 2 in finger piers, five 2 ft X 18 ft 2 in finger piers, one 2 ft x 30 ft 8 in piling pier connected by a 2 ft by 19 ft 10 in walkway to a 2 ft by 30 ft 8 in pier, a 47 ft timber retaining wall with 4 pilings, a 28 ft 9 in timber retaining wall with 2 pilings, and a 4 ft x 14 ft 6 in wharf in kind on 249 ft of frontage in Glidden Cove, Lake Winnepesaukee.

APPROVE PERMIT:

Repair/replace one 4 ft x 103 ft 5 in piling pier, five 2 ft x 20 ft 2 in finger piers, five 2 ft X 18 ft 2 in finger piers, one 2 ft x 30 ft 8 in piling pier connected by a 2 ft by 19 ft 10 in walkway to a 2 ft by 30 ft 8 in pier, a 47 ft timber retaining wall with 4 pilings, a 28 ft 9 in timber retaining wall with 2 pilings, and a 4 ft x 14 ft 6 in wharf in kind on 249 ft of frontage in Glidden Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated March 15, 2004, as received by the Department on March 29, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. This permit does not allow for maintenance dredging.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
7. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
8. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
9. Repairs shall maintain existing size, location and configuration.
10. All construction related material and debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(v), repair/replacement of existing docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00530 NH DEPT OF TRANSPORTATION
HAMPTON Line Swamp

Requested Action:

Temporarily impact 1,792 sq. ft. of wooded wetland to install mile markers, signs and overhead sign structures.

Conservation Commission/Staff Comments:

4/5/04 Cons. Comm. intervened, report rec. 4/30/04

APPROVE PERMIT:

Temporarily impact 1,792 sq. ft. of wooded wetland to install mile markers, signs and overhead sign structures. NHDOT project #14163.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Traffic, as received by the Department on March 30, 2004.
2. All temporary fill shall be underlain with appropriate fabric or matting.
3. Notice of completion shall be submitted to the file.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
12. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
13. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
14. The impacts associated with the temporary work shall be restored immediately following construction.

2004-00532

KALVELAGE, STEVEN

DURHAM Little Bay

Requested Action:

Impact 570 square feet of the tidal buffer zone to remove and replace an existing deteriorated wooden retaining wall with a hand-laid stone retaining wall, and impact 81 square feet of tidal buffer zone for the removal and replacement within the same footprint of an existing square gazebo with an octagon or hexagon shaped gazebo. Project impacts total 651 square feet within the tidal buffer zone.

Inspection Date: 04/12/2004 by Christina Altimari

APPROVE PERMIT:

Impact 570 square feet of the tidal buffer zone to remove and replace an existing deteriorated wooden retaining wall with a hand-laid stone retaining wall, and impact 81 square feet of tidal buffer zone for the removal and replacement within the same

footprint of an existing square gazebo with an octagon or hexagon shaped gazebo. Project impacts total 651 square feet within the tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by Stafford's Stonemaster, as received by the Department on March 30, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction and shall be maintained during construction such that no turbidity escapes the immediate repair area.
7. Work shall be done during low tide.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), based on the fact that this is a repair of a seriously deteriorated and failing retaining wall with extreme danger that the backyard will become unstable and lead to further erosion into Little Bay.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence that demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has obtained written approval from each of the two abutters whose property lines exist within twenty feet of the retaining wall repair.

FORESTRY NOTIFICATION

2004-00701 DEVENNEY, BRETT
GRAFTON Unnamed Stream

COMPLETE NOTIFICATION:
Grafton Tax Map 12, Lot# 1027-4

2004-00742 HIGH-FOREST PARTNERS, LLC
CHESTERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Chesterfield Tax Map 25, Lot# 3

2004-00743 HIGH-FOREST PARTNERS, LLC
KEENE Unnamed Stream

COMPLETE NOTIFICATION:
Keene Tax Map 904, Lot# 1-1, 1-3 & 1-4

2004-00744 HIGH-FOREST PARTNERS, LLC
ROXBURY Unnamed Stream

COMPLETE NOTIFICATION:
Roxbury Tax Map 9, Lot# 167, 16-5 & 16-6

2004-00745 HIGH-FOREST PARTNERS, LLC
SULLIVAN Unnamed Stream

COMPLETE NOTIFICATION:
Sullivan Tax Map 5, Lot# 46

2004-00746 BAYROOT LLC, C/O WAGNER FOREST MGMT
SHELBURNE Unnamed Stream

COMPLETE NOTIFICATION:
Shelburne Tax Map 2, Lot# 45

2004-00747 GEORGE, CHARLES & DOROTHY
LONDONDERRY Unnamed Stream

COMPLETE NOTIFICATION:
Londonderry Tax Map 6, Lot# 84

2004-00754 LAKEVILLE SHORES INC
KEENE Unnamed Stream

COMPLETE NOTIFICATION:
Keene Tax Map 916, Lot# 12-012

2004-00755 FENG FAMILY TRUST, C/O HELEN FENG TTEE
CHICHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Chichester Tax Map 9, Lot# 112

2004-00777 GEORGE, MICHAEL
JAFFREY Unnamed Stream

COMPLETE NOTIFICATION:
Jaffrey Tax Map 253, Lot# 1

2004-00778 COUNTY ROAD REALTY TRUST
FITZWILLIAM Unnamed Stream

COMPLETE NOTIFICATION:

Fitzwilliam Tax map 4, Lot# 3

2004-00779 KINGS ARROW TRUST
JEFFERSON Unnamed Stream

COMPLETE NOTIFICATION:

Jefferson tax map 14, Lot# 42

2004-00780 WOODS WITHOUT GILE LLC
SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Springfield Tax Map 32, Lot#s 474, 549, 301, 380, 451 & 444

2004-00798 GREEN ACRE WOODLANDS INC
GROTON Unnamed Stream

COMPLETE NOTIFICATION:

Groton Tax Map 9, Lot# 2

EXPEDITED MINIMUM

2002-02439 SHEETZ, WHANITTA & BARBARA ELLIOT
CENTER BARNSTEAD Man-made Pond

Requested Action:

Maintenance dredge 1950 square feet of existing pond, restore 350 square feet of wet meadow, and fill 80 square feet for berm repair.

Conservation Commission/Staff Comments:

The conservation commission signed off on this minimum impact expedited application.

Inspection Date: 05/15/2003 by Vicki P Chase

APPROVE AFTER THE FACT:

Approve after the fact maintenance dredge 1950 square feet of existing pond, restore 350 square feet of wet meadow, and fill 80 square feet for berm repair.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

Reaffirm findings 1-4 of the previous approval.

2003-02731 **CONNOR, EVELYN**
NORTHWOOD **Northwood Lake**

Requested Action:

Request to retain repaired wall along 114 ft of frontage on Northwood Lake.

DENY AFTER THE FACT:

Request to retain repaired wall along 114 ft of frontage on Northwood Lake.

With Findings:

Standards for Approval

1. This project is classified as a minimum impact project per Rule Wt 303.04(c), repair of an existing retaining wall in the dry.
2. In accordance with Rule Wt 204.06, After-the-Fact Application, those applications received after the work has been completed shall be subject to the same review as given any other application.
3. In accordance with Rule Wt 101.66, Repair, means the restoring of an existing legal structure by replacement of worn, broken or unsound parts.
4. In accordance with Rule Wt 502.01, Additional Data, applications shall include detailed and dimensioned plans which clearly define the project.
5. In accordance with RSA 482-A, XIV(b), if additional information requested by DES is not received within 120 days of the request, DES shall deny the application.

Findings of Fact

6. On December 10, 2003 the DES Wetlands Bureau received an after-the-fact application for repair of a retaining wall along the shore of Northwood Lake on property identified as Northwood tax map 116, lot 51 (the "lot").
7. On January 2, 2004 a Request for More Information Letter was issued to the Applicant requesting plans and cross sections showing complete dimensions for all existing and proposed structures on the frontage.
8. The January 2, 2004 letter also informed the applicant the failure to respond within 120 days of the letter's issuance would result in further action by the Bureau's Compliance Section.
9. To date the Wetlands Bureau has received no response to the January 2, 2004 Request for More Information Letter.

Rulings in Support of the Decision

10. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.
11. The repair of the existing retaining wall is an unpermitted impact to a jurisdictional area subject to corrective actions to be taken by the Compliance Section of the DES Wetlands Bureau.

2004-00493 **LANDRY, ARTHUR & CAROL**
CANTERBURY **Unnamed Wetland**

Requested Action:

Dredge and fill 804 square feet of forested wetland to install a 24-inch by 42 foot culvert to provide access to a 15.15 acre commercial lot.

Conservation Commission/Staff Comments:

Canterbury Conservation Commission signed the Expedited application.

APPROVE PERMIT:

Dredge and fill 804 square feet of forested wetland to install a 24-inch by 42 foot culvert to provide access to a 15.15 acre commercial lot.

With Conditions:

1. All work shall be in accordance with Grading and Utilites plan by Burd Engineering Associates dated December 29, 2003 and revised March 23, 2004, as received by the Department on March 26, 2004.
2. Work shall be done during low flow.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00557 CORSON, JOHN
HANOVER Connecticut River

Requested Action:

Install a 5 foot x 20 foot seasonal pier with a 35 foot ramp on an average of 1500 feet of shoreline frontage on the Connecticut River.

Conservation Commission/Staff Comments:

Hanover Conservation Commission did not sign the PBN application.

APPROVE PERMIT:

Install a 5 foot x 20 foot seasonal pier with a 35 foot ramp on an average of 1500 feet of shoreline frontage on the Connecticut River.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting, LLC. dated March 25, 2004, as received by the Department on April 5, 2004.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. The existing dock shall be removed permanently.
4. This shall be the only structure on this water frontage and all portions of the structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. The seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal pier with no more than two slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00624 KING BIRCH MOTOR LODGE
ALTON BAY Lake Winnepesaukee

Requested Action:

Install a 10 ft x 12 ft 6 in boatlift and a 10 ft x 27 ft canopy, adjacent an 8 ft x 33 ft dock on 130 ft of frontage in Alton Bay, Lake Winnepesaukee.

APPROVE PERMIT:

Install a 10 ft x 12 ft 6 in boatlift and a 10 ft x 27 ft canopy, adjacent an 8 ft x 33 ft dock on 130 ft of frontage in Alton Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by, as received by the Department on May 5, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. No work is authorized to the 8 ft x 32 ft pier adjacent to the south property line.
8. These shall be the only structures on this water frontage and all portions of the new structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
9. Seasonal structures shall be removed for the non-boating season.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04 (ac), installation of a seasonal boatlift and Wt 303.04 (o) projects deemed minimum impact by the department.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00696 STEPHENS, RUSSELL & MARIE
MEREDITH Lake Winnepesaukee

Requested Action:

Repair/replace an existing 10 ft x 35 ft rock and post supported pier, an existing 6 ft x 25 ft pier with a 6 ft x 5 ft walkway, and an existing 3 ft 2 inch x 6 ft wooden ramp in kind on 195 ft of frontage in Sachem Cove, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

ConComm signed.

APPROVE PERMIT:

Repair/replace an existing 10 ft x 35 ft rock and post supported pier, an existing 6 ft x 25 ft pier with a 6 ft x 5 ft walkway, and an existing 3 ft 2 inch x 6 ft wooden ramp in kind on 195 ft of frontage in Sachem Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated April 4, 2004, as received by the Department on April 23, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repairs shall maintain existing size, location and configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. All excavated material and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair/replacement of existing docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2004-00793 CHASTENAY, JAY
(ALL TOWNS)

Conservation Commission/Staff Comments:
Bath ConCom

2004-00794 TEAL, PETER
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

2004-00795 TAUSINGER, LINDA
(ALL TOWNS) Unnamed Stream

2004-00796 LAGOY, RODERICK
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath Con Com

2004-00807 COOK, ROBERT
(ALL TOWNS)

Conservation Commission/Staff Comments:
Bath ConCom

2004-00808 ASHLEY, BENJAMIN
(ALL TOWNS) Unnamed Stream

TRAILS NOTIFICATION

2004-00739 SPERA, PAUL
CLAREMONT Unnamed Stream

COMPLETE NOTIFICATION:

Carroll & Crawfords Purchase

2004-00740 THE MOUNT WASHINGTON HOTEL & RESORT
CARROLL Unnamed Stream

COMPLETE NOTIFICATION:

Carroll & Crawford Purchase

LAKES-SEASONAL DOCK NOTIF

2004-00348 STUMP, JOHN AND CATHERINE
WAKEFIELD Pine River Pond

COMPLETE NOTIFICATION:

Wakefield Tax Map 77, Lot# 89 Pine River Pond

2004-00791 WEED BEACH LLC
WAKEFIELD Belleau Lake

COMPLETE NOTIFICATION:

Wakefield Tax Map 70, Lot# 110 Belleau Lake

2004-00792 ANDERSON REVOCABLE TRUST, KAREN
MEREDITH Lake Winnepesaukee

COMPLETE NOTIFICATION:

Meredith Tax Map I03, Lot# 29 Lake Winnepesaukee

2004-00805 PAL, SUBMUS
MEREDITH Waukegan Lake

COMPLETE NOTIFICATION:

Meredith Tax Map S26, Lot# 61 Lake Waukegan

2004-00806 CROMWELL, W. DENNY & MARGARET
MADISON Davis Lake

COMPLETE NOTIFICATION:

Madison Tax MAp 37, Lot# 103 Davis Lake

2004-00820 PEARL, SCOTT
STARK South Pond

COMPLETE NOTIFICATION:

Stark Tax Map 205, Lot# 13 South Pond

2004-00821 WARREN, JOHN
NEWBURY Lake Todd

COMPLETE NOTIFICATION:

Newbury Tax Map 51, Lot# 474-535 Lake Todd

ROADWAY MAINTENANCE NOTIF

2004-00822 NH DEPT OF TRANSPORTATION, DISTRICT ONE
JACKSON Ditch

2004-00823 NH DEPT OF TRANSPORTATION
NEWINGTON Unnamed Stream

PERMIT BY NOTIFICATION

2004-00709 RUGGIERO, SUSAN
WOLFEBORO Lake Winnepesaukee

Requested Action:

PBN#9, installation of seasonal boat lift

Conservation Commission/Staff Comments:

Wolfeboro Conservation Commission signed the PBN form.

2004-00711 ZELLER, ROBERT & DEBORAH
NEW LONDON Pleasant Lake

Requested Action:

PBN#1, Dredge and Fill 366 sq ft of emergent wetland to install culverts for access to single family residential lot.

Conservation Commission/Staff Comments:

New London Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#1, Dredge and Fill 366 sq ft of emergent wetland to install culverts for access to single family residential lot.

2004-00789 STUMP, JOHN AND CATHERINE
WAKEFIELD Pine River Pond

Requested Action:

PBN#9, Installation of a seasonal boatlift on Pine River Pond, Wolfeboro Tax Map/Lot# 77/89

Conservation Commission/Staff Comments:

Wolfeboro Conservation Commission signed the PBN form.